

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ZEPHYRINUS EGBUONU,
#27041-265
Plaintiff,

*

*

v.

*

2:07-CV-998-WKW

CAPTAIN BARRETT, *et al.*,

Defendants.

*

*

ORDER ON MOTION

Upon consideration of Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. No. 2), it is ORDERED that the motion be and is hereby GRANTED.¹

Done, this 9th day of November 2007.

/s/ Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE

¹See *Ojo v. INS*, 106 F.3d 680, 683 (5th Cir. 1997) (acknowledging that detainee had been convicted of and sentenced for a crime and that his criminal violations in a sense caused his INS (Immigration and Naturalization Service) detention because they gave the INS cause to deport him but such was not sufficient where detainee was not a "prisoner" because the basis for his current detention was for a violation of immigration law rather than criminal law and because immigration violations were not mentioned in 28 U.S.C. § 1915(h); *LaFontant v. INS*, 135 F.3d 158, 165 (D.C. Cir. 1998) ("[A]n incarcerated alien facing deportation is not a 'prisoner' for purposes of the PLRA.").